

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IAN J. BROWN, JAMES BROWN, and
BARBARA BROWN,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
VERIZON NEW ENGLAND, INC., and
BOSTON EDISON COMPANY d/b/a/
NSTAR ELECTRIC,

Defendant .

C.A. No. 04cv11924RGS

**ASSENTED TO MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

The United States respectfully moves this Court for an extension of time up to and including January 7, 2005, to answer or otherwise respond to the Plaintiff's Complaint.¹ As good cause therefor, the undersigned avers that the brief extension is needed in order for counsel to complete the factual research necessary to answer or otherwise respond to the allegations in the Plaintiff's Complaint. In accordance with Local Rule 7.1(a)(2), the undersigned conferred with Plaintiff's counsel and Plaintiff assents to this request and the relief sought therein.

¹ This Motion is not intended to be a responsive pleading. By the filing of this Motion, the United States is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. The United States intends to raise those defenses when it answers or otherwise responds to the Complaint.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Damian W. Wilmot
Damian W. Wilmot
Assistant U.S. Attorney
John Joseph Moakley Federal Courthouse
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Boston, MA 02210
(617) 748-3100

Dated: December 6, 2004

CERTIFICATION UNDER L.R. 7.1

I, Damian W. Wilmot, Assistant United States Attorney, do hereby state that on December 6, 2004, I spoke with Plaintiff's attorney, Scott Charnas, and he assented to this Motion for Extension of Time.

/s/ Damian W. Wilmot
Damian W. Wilmot
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I certify that on December 6, 2004, I caused a copy of the foregoing Motion to be served on Plaintiff by first class mail, postage pre-paid to Scott E. Charnas, Manheimer & Charnas, LLP, 210 Commercial Street, Boston, MA 02109.

/s/ Damian W. Wilmot
Damian W. Wilmot
Assistant U.S. Attorney